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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Ernie Ball Incorporated, Plaintiff, v. Ahadi Guitars LLC, et al., Defendants.	No. CV-22-00294-TUC-JCH **ORDER**

Before the Court is Defendants' counsel Luan Mai's Motion for Leave to Withdraw As Counsel & Certificate of Counsel ("Motion") (Doc. 21).[1]

Mai moves under the state rule Ariz. R. Civ. P. 5.3 rather than the federal rule LRCiv 83.3. The federal rule governs because this is a federal action. Under LRCiv 83.3(b), the Court may permit an attorney to withdraw by formal written order where the application to withdraw states the reasons for the withdrawal and sets forth the client's address and telephone number. Where the application does not bear the client's written approval, it must be made by motion and served on the client and all other parties, and must include a certificate that the client has been notified in writing of the status of the action. LRCiv 83.3(b)(2). The state and federal rules are similar. *Compare* LRCiv 83.3(b), 83.3(b)(2), *with* Ariz. R. Civ. P. 5.3(a)(2)(A), 5.3(a)(2)(B)(ii).

Here, Mai states that "defendants have retained another counsel, Heather Green Miller, Esq. (SBN 810954) of HGM Law Office LLC to appear herein as counsel of record

[1] The parties have since settled this case (*see* Doc. 22), but the Court disposes of the Motion for clarity of record.

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and to remain as the only counsel of record in this case." (Doc. 21 at 2.). Mai further certifies that Defendants have been notified in writing of the status of the case. (*Id.* at 2.) Defendants' mailing address is given in the Certificate of Service. (*Id.* at 3.) Despite some deficiencies, the Court finds that the Motion sufficiently complies with LRCiv. 83.3.

Good cause appearing,

IT IS ORDERED GRANTING Mai's Motion (Doc. 21), effective October 26, 2022;

IT IS FURTHER ORDERED substituting Heather Green Miller for Luan Mai as counsel of record for Defendants Ahadi Guitars LLC and DOES 1–10. Parties should serve all future correspondence or pleadings on Heather Green Miller at:

Heather Green Miller
HGM Law Office, LLC
1201 West Peachtree Street, NW, Suite 2625
Atlanta, GA 30309

Dated this 1st day of December, 2022.

Honorable John C. Hinderaker
United States District Judge